

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Omar Perez-Avilez

YOB: 1993

Principal

the United Mexican States

Jose Salomon Gorozquieta-Gusman

YOB: 1992

Co-Principal

the United Mexican States

CRIMINAL COMPLAINT

United States District Court
Southern District of Texas
FILED

SEP 21 2016

Case Number:
M-16-1758-M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 20, 2016 in Brooks County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Antonio Morales-Adame a citizen of the United Mexican States and Jairo Dennis Membreno-Garcia a citizen of El Salvador, and five (5) other undocumented aliens, for a total of seven (7) who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport, by foot, said aliens in furtherance of such violation of law within the United States, that is, from a location near Encino, Texas to the point of arrest near Encino, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 20, 2016 at approximately 1:00 a.m., Border Patrol Agents Guerrero and Rohr were patrolling near the Falfurrias, Texas Checkpoint. The agents received information over the service radio from an agent manning Aerostat 3. Aerostat 3 relayed information about a group of people walking north around the checkpoint. Agents Guerrero and Rohr responded. Once they arrived to the area, a helicopter helped them locate most of the people in the group. As the agents were getting closer to the group, all subjects in the group starting running in all directions. The agents managed to apprehend 9 subjects. Agents questioned all the subjects as to their immigration status, all subjects admitted they were illegally present in the United States.

All subjects were placed under arrest and transported to the Border Patrol Station.

Through interviews, the agents discovered that two of the subjects apprehended were the smugglers.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint

Yes No

Signature of Complainant

Francisco Sanchez Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,
September 21, 2016
Date

at McAllen, Texas
City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Dorina Ramos
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- /758-M

RE: Omar Perez-Avilez

CONTINUATION:

PRINCIPAL STATEMENT - 1:

Omar PEREZ-Avilez a citizen and national of Mexico, was read his Miranda Rights and was not willing to answer any questions without an attorney present.

PRINCIPAL STATEMENT - 2:

Jose Salomon GOROZQUIETA-Gusman a citizen and national of Mexico, was read his Miranda Rights and was not willing to answer any questions without an attorney present.

MATERIAL WITNESS STATEMENT - 1:

Antonio MORALES-Adame a citizen and national of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

Antonio MORALES-Adame stated he paid \$1,500 USD to be smuggled into the United States. Once in the United States, he was taken to stash house where he stayed for two days. After the second day, subjects came to pick them up and drive them north. MORALES claims that one of the smugglers told them to get in the bed of the truck and then drove them to an unknown location. MORALES stated that the truck came to a stop and one of the male subjects in the truck, told them to get off the truck and follow him. MORALES indicated that the same subject was using a compass to guide the group. MORALES also indicated that there was a second foot guide. MORALES claims that both foot guides would talk and discuss the best route to take.

Antonio MORALES-Adame identified Omar PEREZ-Aviles through a photo lineup as the main foot guide in the group.

Antonio MORALES-Adame identified Jose Salomon GOROZQUIETA-Gusman through a photo lineup as second foot guide in the group.

MATERIAL WITNESS STATEMENT - 2:

Jairo Dennis MEMBRENO-Garcia a citizen and national of El Salvador was read his Miranda Rights and agreed to provide a statement without an attorney present.

Jairo Dennis MEMBRENO-Garcia stated he paid \$7,000 USD to be smuggled into the United States. Once in the United States, he was transported to a stash house where he stayed for approximately fifteen days. MEMBRENO also stated that a smuggler told him and others to get into a Dodge Ram pickup truck. MEMBRENO claims that they drove to an unknown location where they met with a skinny man who had a Marijuana Tattoo on his neck. MEMBRENO continued by stating that the man with the marijuana tattoo told them to follow him. MEMBRENO indicated that there was a second man helping guide the group. Furthermore, MEMBRENO stated that the two men would stop and discuss the best route to take.

Jairo Dennis MEMBRENO-Garcia identified Omar PEREZ-Aviles through a photo lineup as the main foot guide in the group.

Jairo Dennis MEMBRENO-Garcia identified Jose Salomon GOROZQUIETA-Gusman through a photo lineup as the second foot guide in the group.